



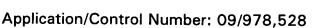


UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/978,528 10/17/2001		Andres Bryant	BU9-99-055	5054	
23416 7	7590 09/04/2002				
CONNOLLY	BOVE LODGE & HT	EXAM	EXAMINER		
1220 N MARK P O BOX 2207	7	PHAM, LONG			
WILMINGTO	N, DE 19899		ART UNIT	PAPER NUMBER	
			2823		
			DATE MAILED: 09/04/2002	2	

Please find below and/or attached an Office communication concerning this application or proceeding.

•					Applicat	i n No.	6	Applicant(s)		11/2	
	fic	Acti	Acti n Summary	09/978,		V .	BRYANT ET AL.				
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3) Since close Disposition of	d in	accord	ation is in co ance with the	ndition for allowa e practice under <i>E</i>	nce excer	ot for forma	al matters, pr 35 C.D. 11, 4	osecution as to th 53 O.G. 213.	ne merits is	s	
4)⊠ Claim	s) .	<u>1-27</u> is/a	are pending i	in the application.							
4a) Of	the	above o	claim(s)	_ is/are withdraw	n from co	nsideration	۱.				
5)☐ Claim	s) _	is	/are allowed								
6)☐ Claim	s) _	is	/are rejected	l.							
7) Claim	s) _	is	/are objected	d to.							
8) Claim(Application Pa			subject to re	estriction and/or e	lection red	quirement.					
9)∏ The sp	cifi	cation is	s objected to	by the Examiner.							
10)∏ The dra	win	g(s),file	d oni	s/are: a)∏ accept	ted or b)	objected to	by the Exan	niner.			
				nny objection to the							
				on filed on					er.		
•				are required in repl							
12)∏ The oat	n or	declara	ation is objec	ted to by the Exa	miner.						
Pri rity under 3	5 U.	.s.c. §§	119 and 12	0							
13) Acknow	vled	igment i	is made of a	claim for foreign	priority un	der 35 U.S	S.C. § 119(a)	-(d) or (f).			
a)∏ All ∃) <u></u>	Some	* c) None	e of:							
1. 🔲	ert	ified cop	oies of the pr	riority documents	have bee	n received.					
2.											
	a	applicati	on from the	opies of the priorit International Bure action for a list o	eau (PCT	Rule 17.2(a	a)).		Stage		
				laim for domestic		-			applicatio	ın)	
a) 🔲 Th	e tra	nslation	of the foreign	gn language provi laim for domestic	isional ap	plication ha	as been rece	ived.	арричано	,,,,	
Attachment(s)					-						
1) Notice of Refe. 2) Notice of Draft 3) Information Dis	pers	son's Pate	ent Drawing Rev	riew (PTO-948) 449) Paper No(s)	·	4) Intervals 5) Notice 6) Other	e of Informal Pa	PTO-413) Paper No(: itent Application (PTC	s) D-152)		
S. Patent and Trademark Off TO-326 (Rev. 04-01)	се			Offic Action	on Summar	у		Part of	Paper No. 4		



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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-22, drawn to a method of making a semiconductor device, classified in class 438, subclass 151.
 - II. Claims 23-27, drawn to a semiconductor device, classified in class 257, subclass 66.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process such as one in which the diffusion regions are formed before the formation of the extension regions.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to -- on -- to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least



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one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long Pham whose telephone number is 703-308-1092. The examiner can normally be reached on M-F, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on 703-308-4918. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-4082 for regular communications and 703-746-4082 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Long Pham

Primary Examiner

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L. P.

August 31, 2002